BM2005-025

### SEMINOLE COUNTY GOVERNMENT BOARD OF ADJUSTMENT AGENDA MEMORANDUM

(continued from the 9/26/05 hearing)

SUBJECT:	Request for	special	exception	for the	permanent	placement	of a	mobile	home	i
	***************************************									

the A-5 (Rural Zoning Classification District) at 1752 Stone Street; (James Brian Propes, applicant).

DEPARTMENT: Pla	nning & Development	DIVISION:	Planning		
AUTHORIZED BY:	Kathy Fall	CONTACT:	Kathy Fall	EXT.	7389
Agenda Date 10-24-0	5 Regular ⊠ Cor	nsent Publi	c Hearing – 6:00	$\boxtimes$	

### MOTION/RECOMMENDATION:

- 1. <u>APPROVE</u> the request for special exception for the permanent placement of a mobile home in the A-5 (Rural Zoning Classification District) at 1752 Stone Street; (James Brian Propes, applicant); or
- 2. <u>DENY</u> the request for special exception for the permanent placement of a mobile home in the A-5 (Rural Zoning Classification District) at 1752 Stone Street; (James Brian Propes, applicant); or
- 3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	James Brian P 1752 stone stre Oviedo		30.104 &	A-5 district, LDC sections 30.104 & 30.1401 (mobile home siting standards)			
BACKGROUND / REQUEST	2006 doub only by spe • A special	2006 double wide mobile, where mobile homes are allowed only by special exception.					
ZONING & FLU		ZONING	EXISTING FLU	USE OF PROPERTY VACANT			
	SITE	A-5	RURAL ZONING	VACANT			
	NORTH	A-5	RURAL ZONING	MOBILE HOME (EXPIRED)			

SOUTH	A-5	RURAL	MOBILE HOME
haddoedddadyree		ZONING	(PERMANENT)
EAST	A-5	RURAL	SINGLE FAMILY
		ZONING	1200
WEST	A-5	RURAL	SINGLE FAMILY
		ZONING	

### STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43(b)(2)

THE BOARD OF ADJUSTMENT (BOA) SHALL HAVE THE POWER TO HEAR AND DECIDE SPECIAL EXCEPTIONS IT IS SPECIFICALLY AUTHORIZED TO PASS UNDER THE TERMS OF THE LAND DEVELOPMENT CODE UPON DETERMINATION THE USE REQUESTED:

# IS NOT DETRIMENTAL TO THE CHARACTER OF THE AREA OR NEIGHBORHOOD OR INCONSISTENT WITH TRENDS OF DEVELOPMENT IN THE AREA:

AVAILABLE RECORDS INDICATE THAT THE MAJORITY OF THE SURROUNDING PARCELS IN THE IMMEDIATE VICINITY HAVE CONVENTIONAL HOMES OR MOBILE HOMES THAT THE BOA HAS APPROVED FOR TEMPORARY PLACEMENT. ALONG STONE STREET BETWEEN THE INTERSECTION OF HOWARD AND FLORIDA AVENUE THERE IS ONE MOBILE HOME THAT WAS APPROVED FOR PERMANENT PLACEMENT. THE REMAINDER OF THE PROPERTIES CONSISTS OF SINGLE FAMILY HOMES, TEMPORARY (EXPIRED) MOBILE HOMES AND VACANT LAND.

### DOES NOT HAVE AN UNDULY ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS AND VOLUMES:

SINCE THE PROPOSED USE IS A SINGLE-FAMILY UNIT THAT WOULD NOT BE HIGHLY INTENSIVE IN NATURE, STAFF DOES NOT BELIEVE IT WOULD ADVERSELY IMPACT ADJOINING TRANSPORTATION FACILITIES.

### IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN:

THE REQUEST WOULD BE CONSISTENT WITH THE TREND OF LOW-DENSITY SINGLE-FAMILY LAND USE, ESTABLISHED IN THIS AREA.

## MEETS ANY ADDITIONAL REQUIREMENTS SPECIFIED IN THE CODE SECTION AUTHORIZING THE USE IN A PARTICULAR ZONING DISTRICT OR CLASSIFICATION:

THE SUBJECT PROPERTY IS A-5 ACRE PARCEL THAT DOES NOT MEET THE A-5 BUILDING MINIMUM DIMENSIONAL REQUIRMENTS BUT IS A PARCEL OF RECORD.

### WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:

THE BLACK HAMMOCK NEIGBORHOOD HISTORICALLY HAS CONSISTED AGRICULTURE PERMITTED BUSINESSES, SINGLE FAMILY HOMES, MOBILE HOMES, AND VACANT LAND. THE MAJORITY OF THE EXISTING MOBILE HOMES HAVE RECEIVED TEMPORARY APPROVAL FROM THE BOARD OF ADJUSTMENT AND THE PERMANENTLY APPROVED MOBILE HOMES RECEIVED APPROVAL IN 1974. IN LIGHT OF THIS, STAFF BELIEVES THE PROPOSED USE OF PERMANENT PLACEMENT WOULD BE INCONSISTENT WITH THE CHARACTER OF THE AREA.

STANDARDS FOR GRANTING A SPECIAL EXCEPTION IN THE A-1 (AGRICULTURE DISTRICT); LDC SECTION 30.104(a) THE BOA MAY PERMIT ANY USE ALLOWED BY SPECIAL EXCEPTION IN THE A-5 (RURAL ZONING CLASSIFICATION) UPON MAKING FINDINGS OF FACT, IN ADDITION TO THOSE REQUIRED BY SECTION 30.43(B)(2) OF THE LAND DEVELOPMENT CODE, THAT THE USE:

### <u>IS CONSISTENT WITH THE GENERAL ZONING PLAN OF THE A-51 (RURAL ZONING CLASSIFICATION DISTRICT):</u>

THE PROPOSED USE IS ALLOWED ONLY BY SPECIAL EXCEPTION IN THE A-5 DISTRICT. THE PROPOSED MOBILE HOME WOULD BE REQUIRED TO COMPLY WITH THE SITING STANDARDS ENUMERATED IN SECTION 30.1401 OF THE LAND DEVELOPMENT CODE, WHICH ARE INTENDED TO MINIMIZE POTENTIAL INCOMPATIBILITY WITH NEARBY CONVENTIONAL SINGLE-FAMILY HOMES AS FOLLOWS:

- o THE MOBILE HOME SHALL HAVE SAFE AND CONVENIENT VEHICULAR ACCESS.
- THE MOBILE HOME SHALL BE REQUIRED TO CONFORM TO APPLICABLE CODES, WHICH INCLUDE STANDARDS FOR INSTALLATION, ANCHORING, UTILITY ACCESSIBILITY, AND SKIRTING.

#### IS NOT HIGHLY INTENSIVE IN NATURE:

THE REQUEST IS NOT HIGHLY INTENSIVE IN NATURE, AS THE PROPOSED MOBILE HOME WOULD ONLY BE PERMITTED FOR SINGLE-FAMILY OCCUPANCY.

# HAS ACCESS TO AN ADEQUATE LEVEL OF URBAN SERVICES SUCH AS SEWER, WATER, POLICE, SCHOOLS AND RELATED SERVICES:

THE SUBJECT PROPERTY IS SERVED BY ON-SITE SEPTIC AND WELL SYSTEMS. OTHER COUNTY SERVICES, INCLUDING SCHOOLS AND EMERGENCY SERVICES, ARE ALSO AVAILABLE TO THE SITE.

CLASSIFICATION	A MOBILE HOME MAY BE PERMITTED AS A SPECIAL EXCEPTION ON A LOT OR PARCEL OF RECORD IN THE A-5 (AGRICULTURE CLASSIFICATION), SUBJECT TO THE PREVIOUSLY REFERENCED MOBILE HOME SITING STANDARDS IN SECTION 30.1401 OF THE LAND DEVELOPMENT CODE.
STAFF RECOMMENDATION:	BASED ON THE STATED FINDINGS, STAFF DOES NOT RECOMMEND THE PERMANENT PLACEMENT OF THE EXISTING MOBILE HOME BUT WOULD NOT OBJECT TO THE LIMITED TEMPORARY PLACEMENT OF THE EXISTING MOBILE HOME REQUEST WITH THE IMPOSITION OF THE FOLLOWING CONDITIONS:
	<ul> <li>ONLY ONE (1) SINGLE-FAMILY MOBILE HOME UNIT SHALL OCCUPY THE SITE, AS SHOWN ON THE PROPOSED SITE PLAN;</li> <li>THE EXISTING MOBILE HOME SHALL OTHERWISE CONFORM TO APPLICABLE BUILDING CODES, INCLUDING STANDARDS FOR ANCHORING, UTILITY ACCESSIBILITY AND SKIRTING.</li> </ul>

DR012 02

### DEVELOPMENT HISTORY DISPLAY

10/14/05 10:15:31

**FILE #:** BA(5-21-84)-71TE **APPL:** BROWN, BARBARA

SEC: 01 TWP: 21 RNG: 31 SUF: PL BK: 1 PB PG: 31 BLOCK #:

**DEVELOPMENT NAME: MH-BROWN, BARBARA** 

LOC: W SIDE OF STONE STREET AND 1,000 FT. N OF FLORIDA AVENUE.

LOT #1: 325 #2: #3: #4: #5: #6: #7: PARC #1: #2: #3: #4: #5: #6: #7:

#### REQUEST DESCRIPTION:

TO PLACE A MOBILE HOME IN A-1 (REINSTATEMENT)

ACTION: APPROVED FIVE YEARS

**DATE:** 052184

#### **REMARKS:**

(E 1/2 OF LOT 325) (VAN ARSDALE ADDITION TO BLACK HAMMOCK)

CMD 1 - End Job CMD 2 - Go to Search Prompt HELP - SCREEN AID



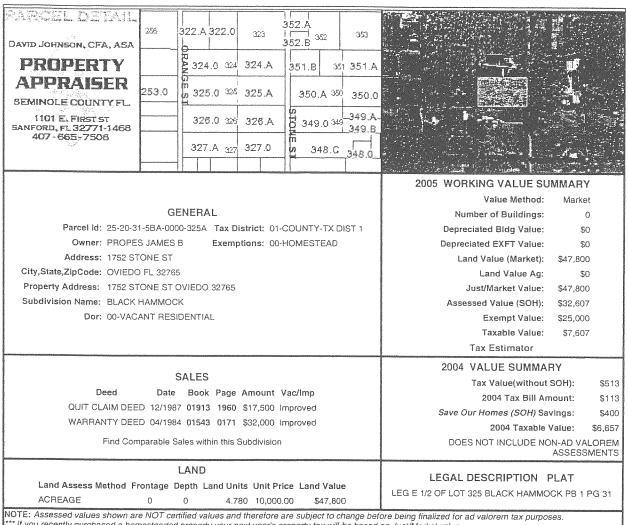
# SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT PLANNING DIVISION 1101 EAST FIRST STREET SANFORD, FL 32771 (407) 665-7444 PHONE (407) 665-7385 FAX APPL.NO.BM 3005 - 025

APPLICATION TO THE SEMINOLE COUNTY BOA	RD OF ADJUSTMENT
Applications to the Seminole County Board of Adjustment shall include	all applicable items listed in the
Board of Adjustment Process Checklist. No application will be schedul	led for Board of Adjustment EIVED
consideration until a complete application (including all information required by the consideration until a complete application (including all information required by the consideration until a complete application (including all information required by the consideration until a complete application (including all information required by the consideration until a complete application (including all information required by the consideration until a complete application (including all information required by the consideration until a complete application (including all information required by the consideration until a complete application (including all information required by the consideration until a complete application (including all information required by the consideration until a complete application (including all information required by the consideration until a complete application until a complete application (including all information required by the consideration until a complete application until a compl	uested below) has been received
by the Planning & Development Department, Planning Division. Applic shall only be received for processing following pre-application conferen	
APPLICATION TYPE:	nce. AUG - 4 2505
O VARIANCE	
VARIANO:	, PLANNING DIVISION
O SPECIAL EXCEPTION JURNAMENT PLACE	ment of A 2006
mobile Home.	or a second
O LIMITED USE	
O SF DWELLING UNDER CONSTRUCTION O M	EDICAL HARDSHIP
O NIGHT WATCHMAN O FAMILY HARDSHIP	fleet is
O YEAR OF MOBILE HOME / RV (EXISTING	) (PROPOSED 2006) PICC
O NIGHT WATCHMAN O FAMILY HARDSHIP O YEAR OF MOBILE HOME / RV (EXISTING O SIZE OF MOBILE HOME / RV 60 × 26.33 O TI	IME NEEDED
O PLAN TO BUILD O YES O NO IF SO, WHEN	
O APPEAL FROM DECISION OF THE PLANNING M	ANAGER
PROPERTY OWNER AUTHO	RIZED AGENT *
NAME James Brian Propes	RECEIVED
ADDRESS 1752 Stone Street	THE OCIVED
Oviedo F1. 32765	
PHONE 1 407 - 489 2884	AUG - 4 2005
PHONE 2 321-235-4006	
E-MAIL Brian, Propes O Wachevia Com	and the state of t
PROJECT NAME.	PLANNING DIVISION
SITE ADDRESS: 1752 Stone Street, Ovicedo Fl. 32	765
CURRENT USE OF PROPERTY:	
CORNENT USE OF PROPERTY.	KILL FRRIOMCZI
LEGAL DESCRIPTION: Leg E /2 of Lot 328 Blan	CK HAMMOCK TOLTEGOT
/	
SIZE OF PROPERTY: 5 acre(s) PARCEL I.D. 25	20-31-5BA-0000-325A
UTILITIES: N WATER O WELL O SEWER N SEPTIC TAN	
KNOWN CODE ENFORCEMENT VIOLATIONS NONE	
KNOWN CODE ENFORCEMENT VIOLATIONS JODIES	
	·
IS PROPERTY ACCESSIBLE FOR INSPECTION X YES	O NO Locked Gate
This request will be considered at the Board of Adjustment regular meet (mo/day/yr) in the Board Chambers (Room 1028) at 6:00 p.m. on the first	ing on 1 1 1 0 1 0 0 0 0 0 0 0 0 0 0 0 0 0 0
Services Building, located at 1101 East First Street in downtown Sanford	
I hereby affirm that all statements, proposals, and/or plans submitted with or c	contained within this application are true
and correct to the best of my knowledge.	,
Came Bring Large	8/4/2005
SIGNATURE OF OWNER OR AGENT*	DATE
Orași Ciria di Official di Company	Augusta manager of the second

\* Proof of owner's authorization is required with submittal if signed by agent. Weeds distance to rear shown on

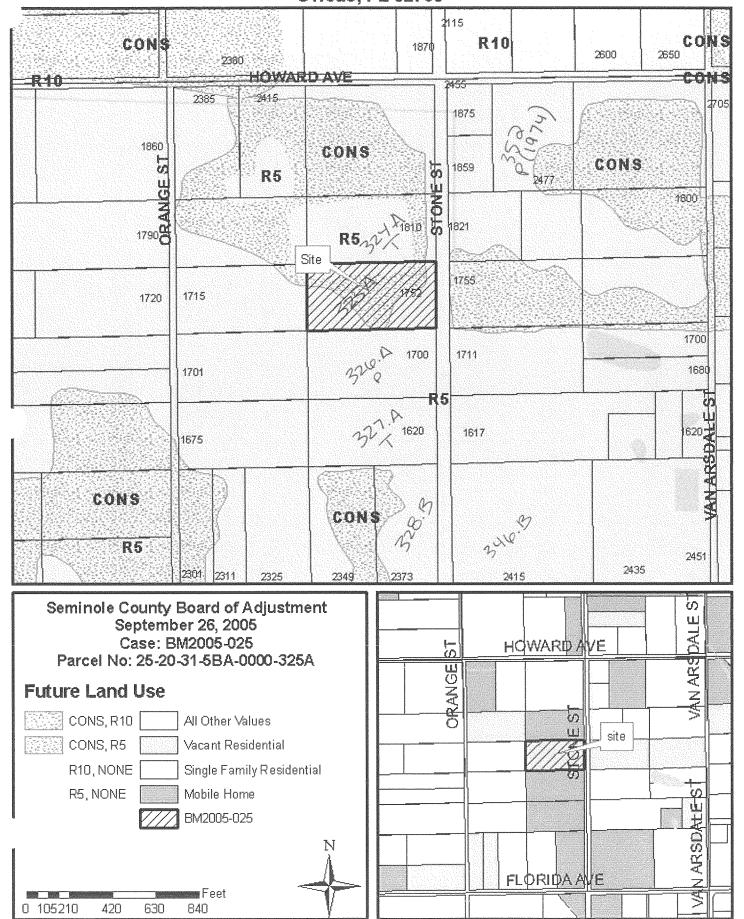
### ADDITIONAL VARIANCES VARIANCE 2: VARIANCE 3: VARIANCE 4: VARIANCE 5: VARIANCE 6: VARIANCE 7: APPEAL FROM BOA DECISION TO BCC APPELLANT INFORMATION NAME ADDRESS PHONE 1 PHONE 2 E-MAIL NATURE OF THE APPEAL APPELLANT SIGNATURE FOR OFFICE USE ONLY

PROCESSING:	
FEE(S): 195.00 COMMISS	SON DISTRICT 2 FLU/ZONING A-5/R-5
BCC HEARING DATE	(FOR APPEAL)
LOCATION FURTHER DESCRIBED AS_	west side of Stone St 0.2 mi seeth
of the interpretion of the	sward Ava & Store St.
PLANNING ADVISOR	DATE
SUFFICIENCY COMMENTS	

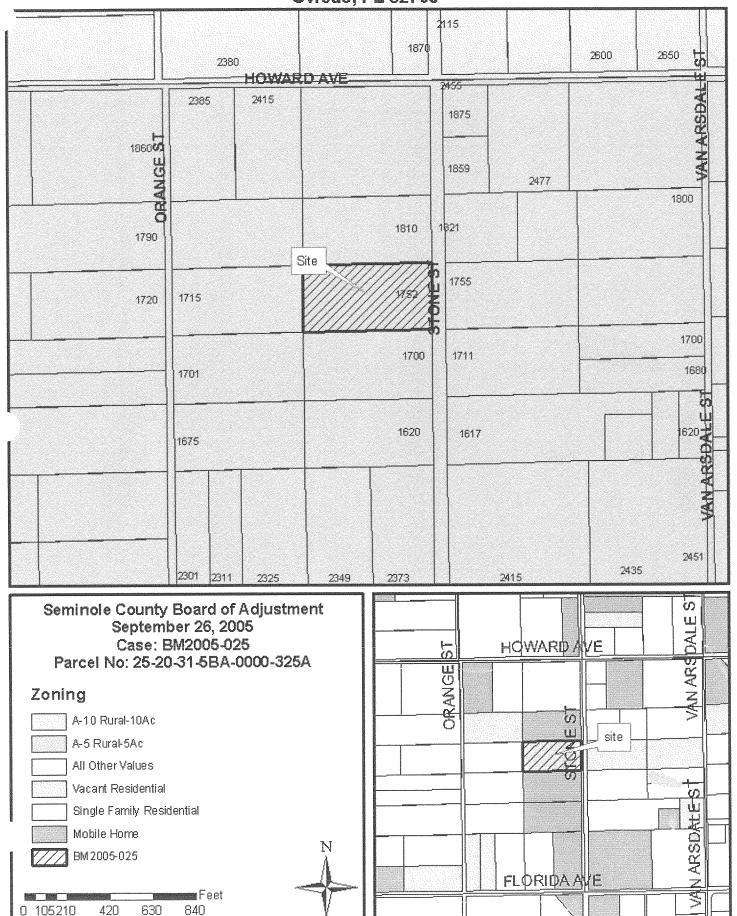


\*\* If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value

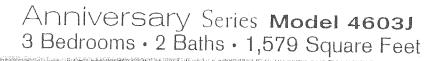
### James Propes 1782 Stone Street Oviedo, FL 32765

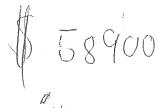


### James Propes 1782 Stone Street Oviedo, FL 32765

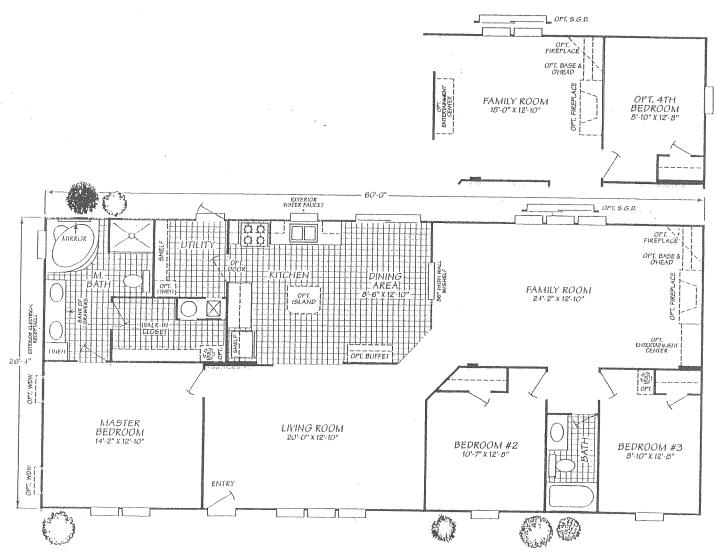








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lectwood Homes reserves the right to change colors, prices, specifications, models, dimensions and materials without notice. Rendering and diagrams are meant to be representative and, in keeping with Fleetwood's policy of constant publing and improvement, may vary from the actual home. All dimensions are nominal and approximated. Square footage is measured from exterior wall to exterior wall, and is an approximate figure. Length indicated in floorplans is soot length only. The length of the bitch is not included. (Add four feet to arrive at transportable length.) Ask your retailer for specifics. PRICES AND SPECIFICATIONS SUBJECT TO CHANGE WITHOUT NOTICE OR OBLIGATION.

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APPRAISI	ER 253.0		.0 325 3		350.			
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1101 E. FIRST ST SANFORD, FL 32771-	1468	325	.0 336 3	26.A	349.	0 349 A 349 B		
407 - 665 - 7506	o constant	327.	A 327 3	27.0	m 20 34	8.C 348.0	illinoi.	
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THE TOTAL PROPERTY OF							2005 WORKING VALUE SU	MMARY
aucossovinies	G	BENER/	4L				Value Method:	Market
Parcel Id:	25-20-31-5	ВА-		0	11-COU	NTY-TX	Number of Buildings:	0
Parcei id:	0000-325A		Tax Dis		DIST 1		Depreciated Bldg Value:	\$0
Owner:	PROPES J	IAMES	Exempti	ions: 0	ю-ном	ESTEAD	Depreciated EXFT Value:	\$0
	D						Land Value (Market):	\$47,800
	1752 STON						Land Value Ag:	\$0
City,State,ZipCode: OVIEDO FL 32765					Just/Market Value:	\$47,800		
Property Address: 1752 STONE ST OVIEDO 32765					Assessed Value (SOH):	\$32,607		
Subdivision Name: BLACK HAMMOCK					Exempt Value:	\$25,000		
Dor:	Dor: 00-VACANT RESIDENTIAL						Taxable Value:	\$7,607
					TO COM TOX SUNTENING AND		Tax Estimator	
ALL CONTROL CO							2004 VALUE SUMMAF	łΥ
		SALES	•				Tax Value(without SOH)	): \$513
Deed	Dat		Page				2004 Tax Bill Amount	t: \$113
QUIT CLAIM I							Save Our Homes (SOH) Savings	: \$400
WARRANTY I	DEED 04/19	84 0154	3 0171	\$32,00	00 Impro	oved	2004 Taxable Value	e: \$6,657
Find (	Comparable	Sales wit	hin this S	Subdivis	sion		DOES NOT INCLUDE NON-AD ASSE	VALOREM SSMENTS
and the same of th	-	LAND					LEGAL DESCRIPTION	* A ***
Land Assess Method	Frontage	Depth	Land Units		nit ice	Land Value	LEG E 1/2 OF LOT 325 BLACK HAN	
ACREAGE	0	0	4.78	0 10,0	00.00	\$47,800	1 PG 31	
NOTE: Assessed val	uec chown a	ra NOT	ortified	inlune i	and that		shinet to change before being finalized	

NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.

\*\*\* If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.

BARBARA A. BROWN 721 W. Fairbanks Avenue Orlando, FL 32804 (305) 628-4280 (home) (305) 894-3131 (work)

April 12, 1984

County of Seminole Land Management Division 100 East First Street, 1st Floor Sanford, FL 32771

#### Gentlemen:

Enclosed is my completed application for renewal of a mobile home permit for the property located on Stone Street, East of 1/2 Lot 325, Van Arsdale. I am in the process of purchasing this land with the mobile home and have enclosed a copy of the contract for such also. The permit on the mobile home has expired, so rather than send the \$10 renewal fee, I am enclosing a check in the amount of \$100 to cover the cost of the application for renewal. A new survey of the property is being conducted at this time, and a copy will be brought to the hearing on May 21, 1984.

Thank you for your assistance in this matter.

Sincerely,

Barbara A. Brown

Birbara a Brown

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Enclosures: Mobile Home Permit Application

Copy of Contract for Sale and Purchase

Permanent Real Property# RP#R114613 MARDIS, GERALD L: BA(4-18-83)-18E; Kennel; Fla Ave & Stone St; Denied.

SCARLATA, JOSEPH F; BA(12-19-83)-161TE; Howard Ave; Apvd 2 Yrs.

BROUWER, JASON: BA(3-19-84)-27TE; Howard Ave; Apvd 5 Yrs.

BROWN, BARBARA A: BA(5-21-84)-71TE; Reinstatement of expired permit; 1-21-31; Stone St; Apvd 5 Yrs.

DENNIS, VIRGINIA A: BA(7-16-84)-105TE; Wichita Ave; Apvd 5 Yrs.

BURLESON, MARK J: BA(7-16-84)-100TE; Wichita St & Fla Ave; Apvd 5 Yrs.

C. W. MANN, AGENT: BA(8-20-84)-115TE; Stone St; Apvd 5 Yrs 6 Months Ext approved for Gerald D. Willis on 3/18/85.

 $\frac{\text{PEREZDECORCHO, GERARDO:}}{\text{three years.}} \quad \text{BA(12-17-84)-169TE; Van Arsdale St & Fla Ave; Apvd for three years.}$ 

PICONE, MICHAEL J: BA(2-18-85)-16TE; Fla Ave & Stone St; Apvd 5 Yrs.

GOTT, ROBERT H: BA(2-18-85)-19TE; Stone St; Avpd 5 Yrs.

ROBERT O. BLANTON, JR.: BA(5-20-85)-67TE; Reinstate expire permit to replace single wide with double wide, Lot 17, Drew's 1st add to Black Hammock, Approved 5 yrs.